

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**VICTOR P. KEARNEY,**

**Appellant,**

**vs.**

**Civ. No. 18-544 RB/KK**

**OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS,**

**Appellee.**

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS  
AND RECOMMENDED DISPOSITION**

**THIS MATTER** is before the Court on the Proposed Findings and Recommended Disposition by United States Magistrate Judge Kirtan Khalsa, filed September 28, 2018. (Doc. 6.) The parties had until October 12, 2018, to file any objections. (*Id.*) The parties have not filed any objections. The failure to make timely objections to the Magistrate Judge's Proposed Findings and Recommended Disposition waives appellate review of both factual and legal questions. *United States v. One Parcel of Real Property*, 73 F.3d 1057, 1059 (10th Cir. 1996).

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 6) are adopted.

**IT IS FURTHER ORDERED** that Appellant's Notice of Appeal (Doc. 1) is **DISMISSED** for lack of prosecution.

  
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ROBERT C. BRACK  
SENIOR U.S. DISTRICT JUDGE